

CUSTOMER NO.: 24498**Serial No.: 10/031,151****Office Action dated: December 26, 2007****Response dated: March 6, 2008****PATENT****RCA89642****REMARKS**

The Office Action mailed December 26, 2007 has been reviewed and carefully considered. No new matter has been added.

Claims 1 has been amended.

Claims 1-15 and 17-20 are pending.

Claims 1-4, 6, 7, and 10 stand rejected under 35 U.S.C. 103(a) as being unpatentable over United States Patent Application Publication No. 2003/0079227 to Knowles (hereinafter "Knowles") in view of United States Patent No. 6,519,412 to Kim (hereinafter "Kim") and further in view of U.S. Patent No. 6,160,545 to Eyer (hereinafter "Eyer"). Claims 5, 8, 9, 11-15, and 17-20 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Kim in view of Knowles and further in view of Eyer.

The independent claims in the case are Claims 1, 5, and 12.

Applicants submit that: (1) none of the cited references, either taken singly or in any combination, teach or suggest all of the limitations recited in Claims 1, 5, and 12, as required for a rejection under 35 U.S.C. 103; and (2) the Examiner has not set forth a prima facie case of obviousness, as required under 35 U.S.C. 103.

It is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest, *inter alia*, the following limitations of Claim 1: "means for replacing, responsive to an insertion of the removable memory, said first password in said temporary storage with said second password to enable said apparatus to allow access to programming from said first and second programming providers".

Moreover, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest, *inter alia*, the following limitations of amended Claim 5: "if said access card is coupled to the integrated television system, processing a first password received from said access card to access programming directly delivered by said multiple programming providers to the integrated television system via different transmission media such that each of the multiple programming providers uses a respective different one of the different transmission media to directly deliver the programming to the integrated television system".

Further, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest, *inter alia*, the following limitations of amended Claim 12: "upon determining that the access card is coupled to the access card interface, downloads a

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second password from the access card and causes the processing circuits to use the second password to access programming from both the first and second programming providers"

Support for the preceding amendment to Claim 1 may be found at least at page 2, lines 20-22 of the Applicants' specification.

Thus, while each of Claims 1, 5, and 12 essentially recite, *inter alia*, the use of and/or otherwise involve a removable memory (Claim 1) or access card (Claims 5 and 12) from which a password is to be received or downloaded, responsive to an insertion of the removable memory to replace another password (Claim 1) or responsive to a determination that the access card is coupled to an integrated television system (Claims 5 and 12), Knowles is completely silent with respect to a removable memory and access card, let alone replacing a password responsive to an insertion of the removable memory or responsive to a determination that the access card is coupled to an integrated television system. For example, nowhere in the Examiner's rejection of Claim 1 does the Examiner even mention a "removable memory", and simply ignores the limitation "removable" when citing "a memory" on page 3 of the Office Action. Similarly, nowhere in the Examiner's rejection of Claim 5 (despite spanning pages 8, 9, and 10) and Claim 12 (which simply states on page 11 of the Office Action "Regarding claim 12, refer to the rejections of claims 1 and 5") does the Examiner mention the limitation of that the "access card is coupled to the integrated television system". Again, the Examiner has mentioned the limitations of Claims 5 and 12 where the access card is not coupled to the integrated television system, but has completely ignored the limitations of Claim 5 and 12 where the access card is coupled to the integrated television system.

These limitations don not have counterpart that exist in any of the cited references. That is, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest the above recited limitations of Claims 1, 5, and 12.

"To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art" (MPEP §2143.03, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)).

Thus, Claims 1, 5, and 12 are patentably distinct and non-obvious over the cited references for at least the reasons set forth above.

Moreover, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest, *inter alia*, the following limitations of Claim 1: "a first

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password associated with a first programming provider ... a second password associated with a second programming provider”.

Further, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest, *inter alia*, the following limitations of Claim 12: “a first password associated with the first programming provider”.

In contrast to the preceding limitations of Claims 1 and 12, Knowles discloses, as cited by the Examiner, “password for a young child - paragraph 0072, lines 1-5” (Office Action, p. 3) and “an IPG that is particular to a first programming provider - paragraph 0071, line 1 - paragraph 0074, line 9. For example, the young child can access LOCL 701 but not HBO2 201” (Office Action, p.3) and “older teenager’s password-paragraph 0072, lines 1-4” (Office Action, p. 4) and “an IPG that is specific to a second programming, i.e., HBO-paragraph 0073, line 1-paragraph 0074, line 9” (Office Action p. 4).

However, the descriptions of the passwords for the young child and teenager at paragraph 0072 of Knowles make no mention whatsoever of a first programming provider or a second programming provider, let alone any association with the same. Moreover, the Applicant respectfully asserts that an IPG that is specific to a first programming provider or a second programming, as asserted by the Examiner in his rejection of Claims 5 and 12, does not correspond to as password. As one skilled in the art would readily recognize, an IPG is an interactive program guide and is distinct from a password.

Thus, it is respectfully asserted that none of the cited references, either taken singly or in any combination, teach or suggest the above recited limitations of Claims 5 and 12.

“To establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art” (MPEP §2143.03, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)).

Thus, Claims 5 and 12 are also patentable distinct and non-obvious over the cited references for at least the reasons set forth above.

Moreover, as mentioned above, the rejections are deficient on their face, since the Examiner has NOT addressed ALL the limitations of Claims 1, 5, and 12 in his rejection of these claims with respect to equating claim limitations to (corresponding portions of) a reference.

For example, in the pending Office Action, the Examiner has only addressed (provided citations to a portion of a particular reference) some of the specific limitations of Claims 1, 5,

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and 12, while ignoring (NOT providing citations to a portion of a particular reference) other specific limitations of Claims 1, 5, and 12. In particular, as mentioned above, the Examiner has ignored the limitation "removable" when citing "a memory" on page 3 of the Office Action with respect to Claim 1, and has ignored the limitations of Claim 5 and 12 where the access card is coupled to the integrated television system.

Thus, without any correlation to the references as to where these specific limitations (now omitted and/or otherwise ignored) of Claims 1, 5, and 12 are disclosed therein, the rejection is deficient on its face, as it is well settled that "[t]o establish prima facie obviousness of a claimed invention, all the claim limitations must be taught or suggested by the prior art" (MPEP §2143.03, citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)(emphasis added)).

Further, "[i]f an independent claim is nonobvious under 35 U.S.C. 103, then any claim depending therefrom is nonobvious" (MPEP §2143.03, citing *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988)).

Claims 2-4 and 19 depend from independent claim 1, claims 6-11 and 20 depend from independent claim 5, and claims 13-15 and 17-18 depend from independent claim 12. Claims 2-4, 6-11, 13-15 and 17-20 have all the features and limitations found in the independent claims from which they depend. Thus, claims 2-4 and 19 are patentable for at least the same reasons as independent claim 1, claims 6-11 and 20 are patentable for at least the same reasons as independent claim 5, and claims 13-15 and 17-18 are patentable for at least the same reasons as independent claim 12.

Moreover, said dependent claims include patentable subject matter in and of themselves and are, thus, patentable distinct and non-obvious over the cited references in their own right. For example, none of the cited references, either taken singly or in a proper combination, teach or suggest the following limitations of Claim 20: "wherein the first password is a master password associated with a satellite transmission media and the second password is a master password associated with a terrestrial transmission media".

In contrast, and as admitted by the Examiner (see Final Office Action, pp. 5 and 11), Knowles simply discloses a parent password (master password) and a child password, but not TWO MASTER PASSWORDS, EACH OF THE MASTER PASSWORDS RESPECTIVELY ASSOCIATED WITH A CORRESPONDING ONE OF THE TWO TYPES OF TRANSMISSION MEDIA, as essentially recited in Claim 20.


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Thus, reconsideration of the rejections is respectfully requested.

In view of the foregoing, the Applicant respectfully request that the rejection of the claims set forth in the Office Action of December 26, 2007 be withdrawn, that the pending claims be allowed, and that the case proceed to early issuance of Letters Patent in due course.

Please charge Deposit Account Number 07-0832 the corresponding fee to file a RCE, and any other fees that may be due.

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